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2 SCOTT JOHNSON,
3 Plaintiff,
4 v.
5 KPA, INC.,
6 Defendant.
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9 Case No. [20-cv-08083-SI](#)
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**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE**

11 This case was filed on November 17, 2020. The next day, the Court issued a Scheduling
12 Order for Cases Asserting Denial of Right to Access Under Americans with Disabilities Act Title II
13 & III. Dkt. No. 6. Pursuant to that Scheduling Order, by January 19, 2021 (60 days after the
14 complaint was filed) plaintiff was required to either complete service or file a motion for
15 administrative relief from the deadline.

16 On July 27, 2021, a proof of service was filed, stating that the complaint, summons and other
17 documents were served in December 2020. Dkt. No. 11. The proof of service states that defendant
18 was served through substitute service on a “John Doe – Clerk” and by mail on defendant’s agent for
19 service of process. No answer has been filed, and no action has been taken in this case since July
20 27. There is no explanation in the docket as to why, if service was completed in December 2020,
21 the proof of service was not filed until July 2021. Further, it is not clear from the record if service
22 was effective. **Accordingly, plaintiff is ORDERED TO SHOW CAUSE in writing no later**
23 **September 16, 2021, why this case should not be dismissed for failure to prosecute.**

24 **IT IS SO ORDERED.**

25 Dated: September 8, 2021

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SUSAN ILLSTON
United States District Judge